

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/19/24

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
: **ORDER**
v. :
: 24 CR 278 (VB)
VINCENT CANNADY, :
Defendant. :
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In a submission entitled “letter motion to Judge Briccetti for CJA staff,” dated December 10, 2024 (Doc. #115), defendant Cannady, who is proceeding pro se, requests authorization to obtain services other than counsel, including investigative, expert, and paralegal services. Article X of the SDNY’s Revised Plan for Furnishing Representation Pursuant to the Criminal Justice Act” (the “CJA Plan”) which is based on 18 U.S.C. § 3006A(e), provides that, upon proper application, appointed counsel may obtain investigative, expert, or other services “necessary for an adequate defense.” Because Cannady’s request does not comply with Article X of the CJA Plan, it is denied without prejudice.

Cannady’s standby counsel, Yusuf A. El Ashmawy, Esq., is directed to re-submit the application for such services, in strict compliance with Article X. The Court will decide at that time what services are necessary for an adequate defense.

However, the Court notes that it previously authorized former standby counsel, Ezra Spilke, Esq., to obtain investigative and paralegal services. Therefore, it may not be necessary for Mr. El Ashmawy to submit a new application for services already authorized. The Court expects Mr. El Ashmawy to determine what services other than counsel Cannady actually needs before submitting the application. Mr. El Ashmawy is also directed to determine the extent to which the amounts previously authorized for investigative and paralegal services have already been utilized and if additional amounts should be authorized.

In addition, if an application for services other than counsel is granted, Mr. El Ashmawy is directed to supervise the person(s) providing such services.

The Court will not authorize payment from CJA funds for an inmate paralegal. Of course, if another inmate wishes to help Cannady read discovery materials and/or help him in the law library, Cannady is free to work with that inmate consistent with the Hudson County Jail's rules and regulations.

Cannady also requests the Court's "permission" to use a Hudson County Jail laptop computer. Cannady does not need the Court's permission to do so, nor will the Court direct the Hudson County Jail to make a laptop or other computer available to defendant. That is a matter within the discretion of the Hudson County facility. Mr. El Ashmawy is directed to further investigate this matter and, if the Court's assistance is required, he is directed to make an appropriate application.

Standby counsel is directed to provide a copy of this Order to defendant by email.

Dated: December 19, 2024
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge